

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LAMAR BURTON,

Plaintiff,

Case No. 1:20-cv-1134

v.

Hon. Hala Y. Jarbou

MICHIGAN DEPARTMENT OF  
CORRECTIONS, et al.,

Defendant.

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**ORDER**

On December 17, 2021, Magistrate Judge Phillip J. Green issued a Report and Recommendation (R&R) recommending that Defendant's Motion for Summary Judgment (ECF No. 15) and Defendant's Motion to Strike Sur-Reply (ECF No. 25) both be granted and this matter terminated (ECF No. 28). The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so expired on January 3, 2022. On review, the Court concludes that the R&R correctly analyzes the issues and makes a sound recommendation.

Accordingly,

**IT IS ORDERED** that the R&R (ECF No. 28) is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that Defendant's Motion for Summary Judgment (ECF No. 15) and Defendant's Motion to Strike Sur-Reply (ECF No. 25) are **GRANTED**.

**IT IS FURTHER ORDERED** that the Court **CERTIFIES** that an appeal would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

A judgment will issue in accordance with this order.

Date: January 20, 2022

/s/ Hala Y. Jarbou  
HALA Y. JARBOU  
UNITED STATES DISTRICT JUDGE